

# Hawai'i State Association of Counties (HSAC)

Counties of Kaua'i, Maui, Hawai'i and City & County of Honolulu

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MINUTES  
HSAC EXECUTIVE COMMITTEE MEETING  
November 28, 2016  
Honolulu Hale, Committee Meeting Room  
530 South King Street  
Honolulu, Hawai'i 96813

## I. CALL TO ORDER

The HSAC Executive Committee was called to order by HSAC President and County of Maui Councilmember Michael Victorino at 10:07 a.m. The following members comprising a quorum were present:

County of Maui: President Michael Victorino,  
County of Maui Councilmember

County of Hawai'i: Vice President Dennis "Fresh" Onishi,  
County of Hawai'i Councilmember

County of Kaua'i: Secretary Mel Rapozo,  
County of Kaua'i Council Chair

City and County of Honolulu: Treasurer Ikaika Anderson,  
City and County of Honolulu Councilmember

Others Present: Gladys C. Baisa, County of Maui Councilmember  
Stacy Crivello, County of Maui Councilmember  
Dru Kanuha, County of Hawai'i Council Chair

Honolulu staff Brandon Mitsuda, Council Liaison,  
Honolulu City Council Administrative Support  
Services;

Honolulu staff Francisco Figueiredo, Legislative  
Aide, Office of Councilmember Ikaika Anderson;  
Honolulu Intern Nelson Mukai, Office of  
Councilmember Ikaika Anderson;

County of Maui staff Kim Willenbrink, Office of  
Council Services;

Kaua'i staff Aida Kawamura, Legislative Assistant,  
Office of Council Services;

Scott Ishikawa, Becker Communications, Inc.



On a point of personal privilege and with no objections, President Victorino recognized outgoing HSAC Vice President Dennis “Fresh” Onishi, outgoing HSAC Alternate Maui County Councilmember Gladys Baisa, proposed incoming HSAC representative Maui County Councilmember Stacy Crivello, and proposed incoming HSAC representative Hawai‘i County Councilmember Dru Kanuha.

## II. APPROVAL OF AGENDA

Treasurer Anderson moved for approval of the Agenda as circulated, seconded by Vice President Onishi, and unanimously carried.

## III. MINUTES

- A. Minutes of the October 24, 2016 HSAC Executive Committee meeting, as submitted by the HSAC Secretary.

Treasurer Anderson moved for approval of the Minutes of the October 24, 2016 HSAC Executive Committee Meeting, seconded by Vice President Onishi, and unanimously carried.

## IV. REPORTS

### A. Treasurer’s Report

1. Treasurer’s Report for October 2016, as submitted by the HSAC Treasurer.

Secretary Rapozo moved to approve the HSAC Treasurer’s Report for the Month of October 2016, seconded by Vice President Onishi, and unanimously carried.

Vice President Onishi tendered the following from the 2016 HSAC Annual Conference held in Kona: 1) check for \$5,000 as reimbursement for seed moneys received; 2) check for \$14,164.31 representing proceeds remaining in the conference account; and 3) the conference checkbook.

### B. County Reports

1. City and County of Honolulu Report. Treasurer Anderson reported his introduction of City Council Resolution 16-310, amending the City Council’s rules relating to committee structure. The





resolution proposes that the council shall determine the chair, vice chair, and members of the committee on executive matters and legal affairs, as well as other standing committees by resolution. The current standard of practice gives the Chair the sole authority and discretion to appoint the several chairs, vice chairs, and committee members. Treasurer Anderson is recommending a more transparent practice that allows input from other members.

At its meeting on November 2, 2016, the City Council adopted Resolution 16-276, CD1, approving the marketing of Verona Villages in Ewa Village, and concurring with Administration's use of competitive sealed proposals to select the potential buyer and developer. The Council also adopted Resolution 16-288, relating to the 2017 HSAC Legislative Package.

The City Council will be hearing Resolution 16-309, which approves the nomination of Kaua'i Councilmember Arryl Kaneshiro to the Board of Directors of NACo at its upcoming meeting in December. Lastly, the City is preparing for its annual Honolulu City Lights Program, which opens on Saturday, December 3, 2016.

2. County of Hawai'i Report. Vice President Onishi reported that Hawai'i County Council discussed concerns with the overtime incurred for CIP projects in the Parks and Recreation Department, and will continue to have more discussion on this issue in January 2017. He noted that there are some changes in the new Council, and he introduced Councilmember Dru Kanuha, who is slated to represent Hawai'i County on HSAC.
3. County of Kaua'i Report. Secretary Rapozo reported that Councilmember KipuKai Kualii and Councilmember Gary Hooser were not re-elected to the Council. The incoming members are Derek Kawakami and Arthur Brun. During the Councilmembers-elect organizational meeting, no changes were made to the leadership and rules, which are pending approval on December 1, 2016. In addition, Mr. Kawakami has expressed interest in serving on HSAC, and will be an asset because of his relationship with members at the State Legislature. Secretary Rapozo noted that he will serve as the alternate, should Mr. Kawakami be confirmed as the HSAC representative.



Secretary Rapozo noted that one of the first issues to be addressed by the incoming Council is the repeal of Ordinance No. 968 due to the recent decision rendered by the Supreme Court of Appeals. Adopting the repeal of Ordinance No. 968 will prevent the initiation of litigation regarding pesticides and genetically modified organisms on Kauaʻi.

Secretary Rapozo reported that Councilmember Kaneshiro expressed interest in serving on NACo, replacing Councilmember Kualiʻi, but as a Kōloa Days Parade Chairman, he has declared a conflict with attending one of the board meetings. Secretary Rapozo noted that it may be necessary to reconsider this nomination if a full commitment to NACo cannot be met.

4. County of Maui Report. President Victorino reported that Maui County elected three new Councilmembers: Alika Atay representing Wailuku-Waihee-Waikapū, Yuki Lei Sugimura representing Upcountry Maui, and Kelly King, who defeated Don Couch, representing South Maui. Councilmember Stacy Crivello will be Maui's representative on HSAC, and the Council leadership consists of Mike White as Council Chair, and Councilmember Bob Carroll as Council Vice Chair. The several Committee Chairs have yet to be confirmed.

Maui County adopted a Charter amendment that gives the Council authority to approve of certain mayoral department head appointees. This provision will take effect in 2018 with the election of a new mayor.

In an effort to assist in addressing the housing crisis on Maui, the Council approved an affordable accessory dwelling bill which allows construction of 'ohana units on lots smaller than 7,500 square feet. Other legislation considered by the Council are: reviews for park concessions, alcohol prohibition at certain parks, review of the old Maui High School, and homeless related bills. Legislation regarding a plastic bag ban, polystyrene ban, and traffic related proposals will be referred to the next Council. Inauguration is scheduled for January 2, 2017 at 10 a.m., followed by the organizational meeting.





Secretary Rapozo moved to receive the foregoing County Reports for the record, seconded by Vice President Onishi, and unanimously carried.

C. National Association of Counties (NACo) Report

President Victorino noted that the next NACo board meeting is scheduled for December 7-9, 2016 in Tallahassee, Florida, and that he will be attending his final Rural Action Committee meeting from December 6-8, 2016.

Secretary Rapozo requested discussion regarding a replacement for Vice President Onishi's seat on the NACo board, and asked members for concurrence to nominate Councilmember Dru Kanuha as his replacement, as it would be appropriate for this seat to be filled by a Hawai'i County representative. President Victorino stated that Council Chair Mike White, Maui County, has stated interest in being considered for the same position. Vice President Onishi reported that he discussed this matter with NACo President Bryan Desloge, who expressed a desire to appoint someone from Hawai'i as Mr. Onishi's replacement. Vice President Onishi noted that he recently sent a communication to Mr. Desloge recommending Councilmember Kanuha as his replacement. Vice President Onishi is aware that Councilmember Hokama requested to be made aware of whom HSAC would be nominating. Vice President Onishi also appreciated the previous process that allowed someone from Hawai'i County to be selected. Vice President Onishi further noted that Mr. Roy Brooks will be making the presidential appointments for the succeeding term, and that HSAC did not support Mr. Brooks. President Victorino stated that he will be in contact with Councilmember Hokama, who, he believed, was unaware that any member was being considered to replace Mr. Onishi on the NACo board.

Vice President Onishi moved to receive the NACo report for the record, seconded by Secretary Rapozo, and unanimously carried.

D. Western Interstate Region (WIR) Report

Vice President Onishi stated that staff is still finalizing the WIR report, which will be submitted at the next meeting.

There being no objections, the report was deferred.



V. NEW BUSINESS

- A. Maui County Council Resolution 16-137, adopted on October 7, 2016, approving proposals for inclusion in the 2017 Hawai'i State Association of Counties Legislative Package.
- B. Maui County Council Resolution 16-152, adopted on November 4, 2016, approving a proposal to inclusion in the 2017 Hawai'i State Association of Counties Legislative Package.
- C. Honolulu City Council Resolution 16-288, adopted on November 2, 2016, approving proposals for inclusion in the 2017 Hawai'i State Association of Counties Legislative Package.
- D. Kaua'i County Council Resolution 2016-79, adopted on November 16, 2016, approving and disapproving proposals for inclusion in the 2017 Hawai'i State Association of Counties Legislative Package.
- E. Hawai'i County Council Resolution 727-16, adopted on November 16, 2016, approving proposals for inclusion in the 2017 Hawai'i State Association of Counties Legislative Package.

President Victorino acknowledged receipt of the foregoing communications (A through E) relating to the proposals approved and disapproved by Maui County Council, Honolulu City Council, Kaua'i County Council, and Hawai'i County Council to be included in the 2017 Hawai'i State Association of Counties Legislative Package.

- F. Summary of the proposals approved for inclusion in the 2017 Hawai'i State Association of Counties Legislative Package.

President Victorino reviewed the several proposals sent to the Councils for approval. He noted that three proposals were not successful.

President Victorino reported that he met with Common Cause and League of Women Voters to discuss the government records proposal, and they appear receptive to what HSAC is requesting, but they will provide additional verbiage that they would like included.

Regarding the tort liability measure, President Victorino reported that he met with Bob Toyofuku, who has stated support for a proposal that would give the counties the same coverage as the state. He felt that with





support from Mr. Toyofuku and the Hawai'i State Bar Association, there is very good possibility that the tort liability measure will pass. President Victorino also discussed the matter with Senator Gilbert Keith-Agaran, who stated his support. President Victorino noted that he will be scheduling a meeting with House leaders to discuss support for this measure.

Secretary Rapozo requested for clarification on the difference between HSAC's proposal and Mr. Toyofuku recommendation. President Victorino stated that HSAC's measure proposes to delete the sunset date, and Mr. Toyofuku was unclear what that meant. President Victorino believed that Mr. Toyofuku would be able to support a measure that states that "the counties have the same immunity and liability exemptions as the state." President Victorino stated that he will be sharing Mr. Toyofuku's recommended language with the members for their information.

Vice President Onishi requested that a Kaua'i representative be included in discussions with Mr. Toyofuku, because the measure was initiated by Kaua'i County.

Regarding unadjudicated fines, President Victorino noted that he has not received any positive responses from legislators regarding this proposal. There is very good support for the emergency medical services bill, which requests for an appropriation to purchase one ambulance each for the counties of Kaua'i and Hawai'i. President Victorino was unsure whether the legislature is in support of the "drone" bill. In addition, through conversations with the ACLU and other groups, President Victorino believed those groups had no objections to the Identification Cards for Persons with Disabilities bill.

Regarding the TAT bill, President Victorino noted that HSAC has started its process of identifying and reaching out to various groups to discuss their involvement with this particular issue, although Governor Ige has stated his objection to any increase in the TAT for counties, as well as have Senate President Kouichi and House Speaker Souki. Secretary Rapozo believed that HSAC should move ahead with its plans to lobby for TAT, especially with the assistance of Scott Ishikawa from Becker Communications, Inc. It is important that the various groups be informed and that they support HSAC's position on the TAT.



President Victorino stated that Maui County is in a huge flux due to the closure of HC&S, and the criteria for important ag land designation need to be defined. President Victorino stated that funds are needed to assist the counties with this program.

The collective bargaining measure requests that the councils have representation at the negotiation table, and that the voting requirement be redistributed. President Victorino reported that he received mixed reviews on this measure, so more discussion may be necessary to clarify this issue.

President Victorino requested that a top-four priority be set for the measures approved for inclusion in the HSAC Legislative Package. Members agreed that Tort Liability is number one. Measures discussed for prioritizing are: TAT, ambulance service, and collective bargaining. President Victorino stated that additional discussion on HSAC's priorities will take place at the December meeting.

The Committee took a recess at 11:14 a.m., and reconvened at 11:22 a.m.

- G. 2017 State Legislative Session update and discussion on lobbying efforts.
  - 1. Update from the President on scheduled meetings with advocacy groups.
  - 2. Update from Becker Communications.

Scott Ishikawa, Becker Communications, Inc., (BCI), reported that he has reached out to, and awaiting responses from, the following organizations regarding doing a legislative briefing: SHOPO, HGEA, Firefighters Union, and Hawai'i Chamber of Commerce. Scheduled dates will depend on HSAC's availability to meet. Mr. Ishikawa has also reached out to the neighbor island newspapers, who have committed to meet with HSAC to discuss the legislative package. Mr. Ishikawa has also gotten a commitment to meet from Kevin Dayton, Capitol Bureau Reporter at the *Star Advertiser*, Wayne Yoshioka at *Kaua'i Public Radio*, and *Civil Beat* and *Associated Press* have stated a willingness to meet with HSAC. The media plan also includes reaching out to TV station reporters to be available during the Legislature's opening day.

Mr. Ishikawa noted that he will have available for review and approval at the next meeting: talking points for interviews, a press release, and an Op-Ed.





Mr. Ishikawa addressed a media inquiry regarding the uncontested traffic fines measure, and that the State Judiciary was unresponsive in providing any information. Mr. Ishikawa found S.B. 2650 which was introduced last session by Senator Gabbard and others. Mr. Ishikawa was informed that roughly \$12 million in uncontested traffic fines was collected in the previous year (approximately \$6 million from the City & County of Honolulu and \$2 million each from the other counties). They also reported that county officers issue approximately 90% of the citations. President Victorino also noted his concern that it costs Maui County roughly \$16 million to run the Judiciary, and that the State sheriffs only issue traffic citations at the airports; the county police department enforces all other roadways. Secretary Rapozo stated that the missing information is the cost incurred by the Judiciary to process uncontested traffic cases. A prosecutor always files a case, which charge will be dismissed should the fine be paid prior to the court date.

President Victorino distributed copies of communications from advocacy groups (see attached). These groups are receptive to HSAC and have stated a willingness to work collaboratively to find solutions.

- H. Proposal from the President relating to a General Membership meeting in December to facilitate the transition in HSAC leadership and lobbying efforts.

After discussion and receiving no support for the \$175 travel expense reimbursement, President Victorino withdrew his request for travel reimbursement for other councilmembers to attend an HSAC meeting in December.

Members were agreeable to scheduling a general membership meeting following the Executive Committee Meeting on December 20, 2016.

## VI. ANNOUNCEMENTS

- A. Scheduling of the next meeting.

The next Executive Committee meeting is scheduled for Tuesday, December 20, 2016, at 10 a.m. on O'ahu, followed by a General Membership meeting at 12 Noon.



B. Other announcements.

There were no other announcements.

VIII. ADJOURNMENT

The meeting was adjourned at 11:57 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mel Rapozo", is written over the printed name.

MEL RAPOZO, Secretary  
Hawai'i State Association of Counties